

DISPOSITION: _____ AGENDA ITEM # 12

RESOLUTION _____ - 2004

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, RESCINDING RESOLUTION 340-2004 AND APPROVING AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE MONROE COUNTY HOUSING AUTHORITY

WHEREAS, the Florida Interlocal Cooperation Act of 1969 authorizes governmental entities to enter into agreements to efficiently use their powers, enabling cooperation with other localities for mutual advantage and provision of services and facilities in a manner that will accord the best geographic, economic, population and other factors influencing the needs and development of local communities; and

WHEREAS, Monroe County and the Monroe County Housing Authority executed an Interlocal Agreement in April 1993 for the purposes of administering a variety of federal, state and local housing programs in cooperation with Monroe County; and

WHEREAS, the existing agreement appoints the Authority to provide professional planning, management and administrative services for and within Monroe County for affordable housing; and

WHEREAS, the existing agreement lacks specificity as to the SHIP Program and its requirements; and

WHEREAS, the County Commission previously passed Resolution 340-2004, but the amendment attached thereto required revision; and

WHEREAS, Amendment I to the Interlocal Agreement, attached hereto as Exhibit A, specifically addresses the Authority's administration of the County's SHIP Program;

NOW, THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of Monroe County, Florida, that the County hereby:

Authorizes the execution of Amendment I, attached hereto as Exhibit A, to the existing Interlocal Agreement, as amended, between Monroe County, State of Florida and the Monroe County Housing Authority dated April 1993 for the purposes of administration of Monroe County's State Housing Initiatives Partnership (SHIP) Program effective October 1, 2004.

PASSED AND ADOPTED, by the Board of County Commissioners of Monroe County, Florida at a regular meeting on said Board on the _____ day of _____, A.D., 2004

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

Mayor Spehar _____
Commissioner McCoy _____
Commissioner Rice _____
Commissioner Neugent _____
Commissioner Nelson _____

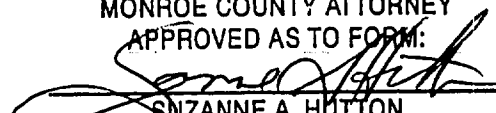
By: _____
Mayor Spehar

(SEAL)

ATTEST: Danny L. Kolhage, CLERK

By: _____
Deputy Clerk

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date 12/13/04

**AMENDMENT #1
TO
INTERLOCAL AGREEMENT
BETWEEN
THE COUNTY OF MONROE, STATE OF FLORIDA
AND
THE MONROE COUNTY HOUSING AUTHORITY**

WHEREAS, Monroe County, State of Florida, (herein referred to as "County"), a body politic having its principal office at 1100 Simonton Street, Key West, Florida 33040, and the Monroe County Housing Authority, (herein referred to as "MCHA"), a body politic organized under Chapter 421, F.S. and the U.S. Housing Act of 1937, as amended, and having its principal office at 240 Sombrero Road, Marathon, Florida 33050, referred to collectively as the "Parties" executed an Interlocal Agreement dated April 14, 1993; and,

WHEREAS, the Parties agree to amend the aforementioned Interlocal Agreement, for the purposes of clarification relative to the specific operation of Monroe County's State Housing Initiatives Partnership (SHIP) Program, and;

NOW THEREFORE, the Parties agree to the addition of the following language to the Agreement, applicable specifically to the implementation and administration of the Monroe County State Housing Initiatives Partnership (SHIP) Program:

SECTION III. ACCOUNTING AND ACCOUNTS

- E. MCHA's Certified Public Accounting firm will provide the County monthly with a Certification that all payments were utilized for administration as identified in the County's approved Local Housing Assistance Plan.

SECTION IV. EXPENSES AND COMPENSATION

- D. MCHA for administration, reporting and monitoring of the SHIP Program, shall receive as compensation 10% of the annual SHIP State Allocation, and 5% of Program Income collected in the previous fiscal year. These amounts shall be evenly distributed over the life of administering the SHIP Program. The beginning balance for distribution during the current plan year will be the percentage of the actual State contract and the calculated Program Income less any funds that were previously paid for the first two years of the program cycle and current plan year (i.e. FY 2002-03, 2003-04, and 2004-05).

MCHA for providing Homeownership Counseling (formerly Fair Housing) services shall receive compensation on a reimbursable basis as annually budgeted and approved by the County.

- E. Monroe County, upon receipt of an invoice, shall compensate MCHA monthly, that amount which represents 1/12th of the total funds approved and available as stated in Section IV (D) above.

SECTION VI. RESPONSIBILITIES AS TO RECORDS AND REPORTS

- C. MCHA shall provide the County quarterly with SHIP Tracking Reports, detailing all SHIP program expenditures, commitments and demographic compliance data.

FURTHER, the parties agree, all other provisions of this Agreement, as amended, not inconsistent herewith, shall remain in full force and effect.

FURTHER, the parties agree, that this amendments shall be effective October 1, 2004

Passed and adopted, by the Board of County Commissioners of Monroe County, Florida at the regular meeting of said Board on the ____ day of January 2005, A.D.

**MONROE COUNTY
BOARD OF COUNTY COMMISSIONERS**

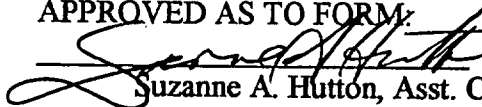
By: _____
Mayor

(SEAL)

ATTEST: Danny Kolhage, Clerk of the County

By: _____
Deputy Clerk

APPROVED AS TO FORM:

 DATE: 12/13/04
Suzanne A. Hutton, Asst. Co. Atty.

MONROE COUNTY HOUSING AUTHORITY

By: _____

(SEAL)

APPROVED AS TO FORM

AND LEGAL SUFFICIENCY: _____ DATE: _____